

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST  
FOR  
CONTINUED EXAMINATION  
(RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 19, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

<b>Application Number</b>	09/863,135
<b>Filing Date</b>	5/22/01
<b>First Named Inventor</b>	Frederick G. St. Goar
<b>Group Art Unit</b>	3763
<b>Examiner Name</b>	C. Rodriguez
<b>Attorney Docket Number</b>	HRT0241

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50032 (Aug. 18, 2000); Interim Rule, 66 Fed. Reg. 14885 (Mar. 20, 2000); 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

a.  Previously submitted

- Consider the amendment(s)/reply under 37 C.F.R. § 1.118 previously filed on (any unentered amendment(s) referred to above will be entered).
- Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- Other IDS submitted on 8/18/04

b.  Enclosed

- Amendment/Reply
- Affidavit(s)/Declaration(s)
- Information Disclosure Statement (IDS) + foreign references
- Other Communication

**2. Miscellaneous**

a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required.)

b.  Other

**3. Fees** - The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed

a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 10-0780.

- RCE fee is required under 37 C.F.R. § 1.17(e)
- Extension of Time (37 C.F.R. §§ 1.138 and 1.17)
- Other

b.  Check in the amount of \$ \_\_\_\_\_ enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (print/type)	Brian S. Tomko	Registration No.	41,349
Signature	<i>BS Tomko</i>	Date	11/11/04

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. (703) 872-9306 Mail Stop RCE: 11/11/04

Name (print/type)	Brian S. Tomko	Date	11/11/04
Signature	<i>BS Tomko</i>		

01/27/2005 ARIVERS1 00000003 100750 09863135  
01 FC:1881